

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 11-3779

In re: Leland William Jacobs;
Carolyn Louise Johnson-Jacobs,

Debtors,

Leland William Jacobs,

Appellant,

v.

Educational Credit
Management Corporation,

Appellee.

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Appeal from the United States
District Court for the
District of Minnesota.

[UNPUBLISHED]

Submitted: June 14, 2012

Filed: June 25, 2012

Before MURPHY, ARNOLD, and SHEPHERD, Circuit Judges.

PER CURIAM.

Leland Jacobs appeals the district court's¹ order affirming the bankruptcy court's² judgment, which denied Jacobs's request to discharge--based on the "undue hardship" provision in 11 U.S.C. § 523(a)(8)--his student loan debt to Educational Credit Management Corporation.

Having carefully reviewed the record and the parties' arguments on appeal, we conclude that the denial of Jacobs's request was appropriate, for the reasons discussed by the bankruptcy court and the district court. See In re Long, 322 F.3d 549, 553-55 (8th Cir. 2003) (Eighth Circuit applies "totality-of-the-circumstances test" in determining whether student loan debt should be discharged based on undue hardship; describing facts and circumstances bankruptcy court should consider in evaluating totality of circumstances); see also Educ. Credit Mgmt. Corp. v. Jesperson, 571 F.3d 775, 779 (8th Cir. 2009) (debtor bears rigorous burden of proving undue hardship by preponderance of evidence); Burgs v. Sissel, 745 F.2d 526, 528 (8th Cir. 1984) (per curiam) (pro se litigants are not excused from having to comply with substantive and procedural law; pro se litigant should receive meaningful notice of what is expected of him, but court is not permitted to act as counsel for either party).

Accordingly, we affirm. See 8th Cir. R. 47B.

¹The Honorable John R. Tunheim, United States District Judge for the District of Minnesota.

²The Honorable Gregory F. Kishel, Chief Judge, United States Bankruptcy Court for the District of Minnesota.